

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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In re:

Chapter 13

Lanita S. Woolridge,

Case No. 08-33976-JES

Debtor(s).

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**MOTION OF US BANK NATIONAL ASSOCIATION FOR ABANDONMENT**

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US Bank National Association, the current mortgagee of record, its successors, servicing agents and/or assignees (hereinafter collectively and at all times material hereto “the movant”), by its attorneys, Gray & Associates, L.L.P., moves the court for an order of abandonment pursuant to §554(b) of the Bankruptcy Code and alleges as follows:

1. That the movant holds a promissory note and properly-perfected purchase money first mortgage encumbering property owned by the debtor(s) located at 5800 North 36th Street, Milwaukee, WI. A copy of note and the properly-perfected mortgage are filed herewith and their contents are incorporated herein by reference.

2. That the mortgage loan for which the movant has a secured interest is in default for all payments coming due on and after December 1, 2009 and, unless cured, said default will result in the subject property being sold at sheriff’s sale.

3. That the estimated fair market value of the property according to the local assessor’s office is \$76,400.00.

4. That the total amount due the movant is approximately \$64,945.08.

Drafted by:

Jay J. Pitner

GRAY & ASSOCIATES, L.L.P.

16345 West Glendale Drive

New Berlin, WI 53151

Phone: (414) 278-8060

Fax: (414) 224-1279

Email: [jpitner@gray-law.com](mailto:jpitner@gray-law.com)

Gray & Associates, L.L.P. is attempting to collect a debt on its client's behalf and any information it obtains will be used for that purpose. If you previously received a discharge in a chapter 7 bankruptcy case, this should not be construed as an attempt to hold you personally liable for the debt.

5. The allegations of the foregoing paragraphs indicate that the property is burdensome and of inconsequential value and benefit to the bankruptcy estate. The trustee should be ordered to abandon the estate's interest, if any, in the property pursuant to section 554(b) of the Bankruptcy Code, while reserving the estate's interest in any surplus funds which might exist if the property is sold and the movant has been paid in full.

WHEREFORE, the movant requests that the court enter an order of abandonment regarding the property pursuant to section 554(b) of the Bankruptcy Code while reserving the estate's interest in any surplus funds which might exist if the property is sold and the movant has been paid in full and that the movant's legal fees and costs associated with this motion be approved and that any order entered pursuant to this motion shall be effective immediately upon its entry and for such further relief as may be just and equitable.

Dated this 19th day of April, 2011.

GRAY & ASSOCIATES, L.L.P.  
Attorneys for Movant

By: /s/ Jay Pitner  
Jay Pitner  
State Bar No. 1010692

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**NOTICE OF MOTION OF US BANK NATIONAL ASSOCIATION  
FOR ABANDONMENT**

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US Bank National Association, the current mortgagee of record, its successors, servicing agents and/or assignees (hereinafter collectively and at all times material hereto “the movant”), has filed papers with the court to obtain abandonment.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, **within fourteen (14) days of the date of this notice**, you or your attorney must do the following:

File with the court a written objection to the motion and a request for a hearing with:

Clerk, U.S. Bankruptcy Court  
U.S. Courthouse, Room 126  
517 East Wisconsin Avenue  
Milwaukee, WI 53202-4581

Drafted by:

Jay J. Pitner  
GRAY & ASSOCIATES, L.L.P.  
16345 West Glendale Drive  
New Berlin, WI 53151  
Phone: (414) 278-8060  
Fax: (414) 224-1279  
Email: [jpitner@gray-law.com](mailto:jpitner@gray-law.com)

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If you mail your request and objection to the court for filing, you must mail it early enough so the court receives it within 14 days of the date of this notice.

You must also mail copies of the written objection and request for a hearing to:

Jay J. Pitner  
Gray & Associates, L.L.P.  
16345 West Glendale Drive  
New Berlin, WI 53151

Mary B. Grossman  
Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated this 19th day of April, 2011.

GRAY & ASSOCIATES, L.L.P.  
Attorneys for Movant

By: /s/ Jay Pitner  
Jay Pitner  
State Bar No. 1010692

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**AFFIDAVIT OF SERVICE**

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STATE OF WISCONSIN     )  
  )ss  
WAUKESHA COUNTY     )

Laura Thoma, being first duly sworn on oath deposes and says that she is an employee of the firm of **GRAY & ASSOCIATES, L.L.P.**, attorneys for the movant identified herein, that on the 19th day of April, 2011, she electronically filed the annexed notice of motion and motion for abandonment and that copies of these documents were mailed, properly enclosed in a postage paid envelope, or served electronically if the party accepts electronic service, to the following:

Please see attached.

/s/ Laura Thoma  
Laura Thoma

Subscribed to and sworn before me  
this 19th day of April, 2011.

/s/ Michelle M. Neil  
Michelle M. Neil, Notary Public  
State of Wisconsin  
My commission expires: 9/22/2013